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hold the granting of the license until satisfactory proof is produced that both applicants are "white persons" as provided for in this act.

The clerk or deputy clerk shall use the same care to assure himself that both applicants are colored, when that fact is claimed.

5. It shall hereafter be unlawful for any white person in this State to marry any save a white person, or a person with no other admixture of blood than white and American Indian. For the purpose of this act, the term "white person" shall apply only to the person who has no trace whatsoever of any blood other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed to be white persons. All laws heretofore passed and now in effect regarding the intermarriage of white and colored persons shall apply to marriages prohibited by this act.

6. For carrying out the purposes of this act and to provide the necessary clerical assistance, postage and other expenses of the State registrar of vital statistics, twenty per cent of the fees received by local registrars under this act shall be paid to the State bureau of vital statistics, which may be expended by the said bureau for the purposes of this act.

7. All acts or parts of acts inconsistent with this act are, to the extent of such inconsistency, hereby repealed.

CHAP. 372.—AN ACT to amend and re-enact section 46 of the Code of Virginia, which is in chapter 7 of said Code relating to church property, benevolent associations and objects. [S B 322]

Approved March 20, 1924.

1. Be it enacted by the general assembly of Virginia, That section forty-six of the Code of Virginia, be amended and re-enacted so as to read as follows:

Section 46. Proceeding by trustees for similar purposes.—The trustees of such congregation, or church or religious denomination, or society or branch or division thereof, in whom is vested the legal title to such land held for any of the purposes mentioned in section thirty-eight, may file their petition in the circuit court of the county or the circuit or corporation court of the city wherein the land, or the greater part thereof held by them as trustees, lies, or before the judge of said court in vacation asking leave to sell, encumber, or exchange the said land, or a part thereof; and upon evidence being produced before the court, or the judge thereof in vacation, that it is the wish of said congregation, or church or religious denomination or society, or branch or division thereof, or the constituted authorities thereof having jurisdiction in the premises, to sell, exchange, or encumber the said property, the court, or the judge thereof in vacation, shall make such order as may be proper, providing for the sale of such land, or a part, or that the same may be exchanged or encumbered, and in case of sale, for the proper investment of the proceeds. When any such religious congregation has become extinct or has ceased to occupy said property as a place of worship, so that it may be regarded as abandoned property, the petition may be prescribed either by the surviving trustee or trustees,